

10/30/01
JC962 U.S. PTO

12-18-01

A

Practitioner's Docket No. P109 CON 2

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

10/30/01
JC979 U.S. PTO
10/020061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Robert Lashinski; Bradley Jendersee; Michael D. Boneau

For (title): Method and Apparatus to Prevent Stent Migration

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10*

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TRANSMISSION

transmitted by facsimile to the Patent and Trademark Office (703) _____.
Date: 10/30/01

Christine L. Aceves
Signature

Christine L. Aceves
(type or print name of person certifying)

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"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1. Type of Application

This transmittal is for a continuation application.

2. Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATIONS CLAIMED.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

10 Page(s) of Specification

3 Page(s) of Claims

2 Sheet(s) of Drawing(s)

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

4 Page(s) of Preliminary Amendment

4. Declaration or Oath

Enclosed

Executed by:

* inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Cancellation of Claims:

Please cancel claims 1, 4, 6, and 9 before calculating the fee.

7. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED

Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	18	18-20 =	0	\$18.00	
Independent Claims (37 CFR 1.16(b))	5	5-3 = 2	2	\$84.00	168.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00

Amendment canceling extra claims is noted above.

Filing Fee Calculation \$908.00

8. Fee Payment Being Made at This Time

Enclosed
Filing Fee \$908.00

Total Fees Enclosed \$908.00

9. Method of Payment of Fees

Charge Account No. 012525 in the amount of \$908.00
A duplicate of this transmittal is attached.

10. Instructions as to Overpayment

Credit Account No. 012525.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATIONS CLAIMED**

11. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. Section 119(e)

"This application claims the benefit of U.S. Provisional Application Nos.:

APPLICATION NO.	FILING DATE
09/092,623	06/05/1998
08/326,031	10/19/1994

12. **Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date: 10/30/01

Reg. No.: 34,472
Tel. No.: 707-566-1746
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Signature of Practitioner

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